

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**LIGHTHOUSE FOR THE BLIND AND  
VISUALLY IMPAIRED D/B/A HANOVER  
INSURANCE COMPANY,**

Plaintiff,

vs.

**NOVA CASUALTY CO., ET AL.,**

Defendants.

CASE NO. 20-cv-09445-YGR

**ORDER GRANTING MOTION TO REMAND  
AND DENYING MOTION TO DISMISS AS  
MOOT**

Re: Dkt. Nos. 9, 11

On November 4, 2020, plaintiff filed this action in Napa County Superior Court. Defendant Nova Casualty Company d/b/a Hanover Insurance Group (“Nova”) removed the case to federal court on December 30, 2020. (Dkt. No. 1.) On January 6, 2021, defendants Nova, Anthony DeCesare, and Steven Koski filed a motion to dismiss DeCesare and Koski from this action under Federal Rule 12(b)(6). (Dkt. No. 9.) On January 20, 2021, plaintiff filed a Motion to Remand based on the lack of complete diversity. (Dkt. No. 11.) Having carefully considered the briefing and arguments submitted on the motion, and for the reasons stated on the record at the March 2, 2021 hearing, the Court **GRANTS** plaintiff’s Motion to Remand and **DENIES AS MOOT** defendants’ Motion to Dismiss. Defendants “ha[ve] not demonstrated that there is no possibility that [p]laintiff[ ] could [state a negligent misrepresentation claim] against [Koski].” See *GranCare, LLC v. Thrower*, 889 F.3d 543, 551 (9th Cir. 2018).

The Clerk of the Court is directed to **REMAND** the case to the Napa County Superior Court and close the file.

**IT IS SO ORDERED.**

Dated: March 9, 2021

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE